searched the evidence in vain to satisfy ourselves that this conclusion could be reasonably reached from the evidence. We are of the opinion the trial court did not err in granting the motion to set aside the verdict."

Police Power—Authority of Municipality to Impose License Tax on Golf Courses.—The question whether the good game of golf is subject to the exercise of the police power of a municipality was answered in the negative in the case of Condon *v.* Village of Forest Park (Ill.), 115 N. E. 825, wherein the Supreme Court affirmed a decree of the lower court enjoining the municipality from attempting to enforce a village ordinance imposing a license tax on golf courses. The court said: "The police power of the state extends to the protection of the lives, health, comfort, and quiet of all persons and the protection of all property within the state. In the exercise of that power the General Assembly may suppress and prohibit any practice, trade, or business endangering the public welfare and safety or may regulate any business in such manner as may be necessary for the safety, morals, and welfare of the people and may delegate that power to municipalities. It is for the courts to determine what are the subjects for the exercise of the police power and to determine whether an attempted exercise of the power in a particular instance is reasonably necessary to the comfort, morals, safety, or welfare of the community, and the power is restricted by those provisions of the constitution which forbid unequal laws or an arbitrary invasion of personal rights of property. To sustain an act or ordinance under the police power the court must be able to see that it tends in some degree to the prevention of offenses or the preservation of the public health, morals, safety, or welfare. If it is manifest that a statute or ordinance has no such object, but under the guise of a police regulation is an invasion of the property rights of the individual, it is the duty of the court to declare it void. * * * The game of golf is a healthful and harmless recreation of the same class as lawn tennis and other like games, which do not attract crowds or tend to disorder or call for police supervision or regulation. It has never been known to affect in any injurious way the public health, order, safety, or morals. The fact that the game has attractions which induce players to practice it does not change its character to an amusement or entertainment provided for the public. It is not a subject for the exercise of the police power."

Seduction—Parties within Meaning of Statute—Virginia Decision Criticised.—That a widow is considered within the meaning of the South Dakota Penal Code, defining the crime of seduction is held in the case of State *v.* Eddy (S. D.), 167 N. W. 392. The words of the statute designating the person subject to seduction as "an un-

married female of previous chaste character." To the contrary contention of counsel, the court said:

"Indeed counsel boldly asserts that a widow is necessarily both unchaste and a married person in the view of said statute. In support of their contention they cite certain Canadian decisions rendered in civil actions, but chiefly rely upon the decision in Jennings *v.* Commonwealth, 109 Va. 821, 63 S. E. 1080, 21 L. R. A. (N. S.) 265, 132 Am. St. Rep. 946, 17 Ann. Cas. 64, which squarely supports the logic of their contentions. After speaking of the protection extended by the law to innocent females the Virginia court said:

"'But the case is wholly different with women who have been married. They have known man; and, possessed of the knowledge which such intercourse imparts, if chaste, are immune from the seducer's wiles.'

"It is our opinion that this statement is entirely too broad. It might properly be the basis of an argument to the jury in the discussion of the question whether the prosecutrix really relied upon the promise, but we think no court should say as a matter of law that a woman who has been married is incapable of being the victim of seduction. After criticising that decision the Oregon Supreme Court, in State *v.* Wallace, 79 Or. 129, 154 Pac. 430, L. R. A. 1916D, 457, said: 'We entertain the view that law is intended for the safeguarding of the virtue of the chaste widow just as much as for that of the woman who has never been a wife.'

"In People *v.* Weinstock, 140 N. Y. Supp. 453, the subject was extensively reviewed, and the conclusion was reached that the words "unmarried female" in a similar statute included all unmarried women, whether spinsters, widows, or divorced women.

"We are of the opinion that the intent of the legislature in enacting § 336, Pen. Code, should be deemed to be as determined in the Oregon and New York decisions above cited. We decline to accede to an interpretation of the statute that would, in effect, declare all married women to be unchaste."